IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

U.S. DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
FILED

MAY - 5 2009

CLERK, U.S. DISTRICT COURT
By _____
Deputy

HELEN LANETT RANSOM, §
                      §
        Applicant,   §
                      §
VS.   §   NO. 4:09-CV-204-A
                      §
NATHANIEL QUARTERMAN, §
Director, Texas Department §
of Criminal Justice, §
Correctional Institutions §
Division,   §
                      §
        Respondent.   §

O R D E R

Came on for consideration the above-captioned action wherein Helen Lanett Ransom ("Ransom") is applicant and Nathaniel Quarterman, Director, Texas Department of Criminal Justice, Correctional Institutions Division ("Director"), is respondent.[1] This is an application for writ of habeas corpus filed pursuant to 28 U.S.C. § 2254. On April 9, 2009, the United States Magistrate Judge issued his proposed findings, conclusions, and recommendation ("FC&R"), and ordered that the parties file objections, if any, thereto by April 30, 2009. Ransom timely filed written objections to which Director has not made any further response.

In accordance with 28 U.S.C. § 636(b)(1) and Rule 72 of the Federal Rules of Civil Procedure, the court makes a de novo determination of those portions of the proposed findings or

---

[1]Applicant refers to her application as a "petition" and to herself as "petitioner." Consistent with the language of 28 U.S.C. § 2254, the court uses the terms "applicant" and "application" instead of "petitioner" and "petition."
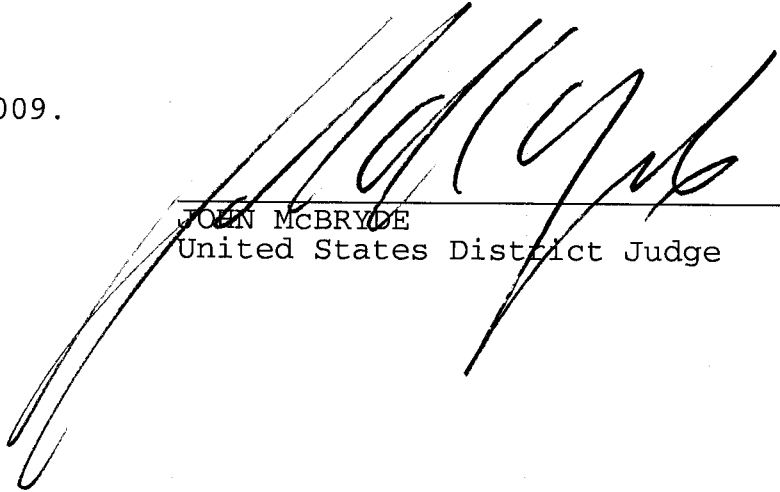
recommendations to which specific objection is made. United States v. Raddatz, 447 U.S. 667 (1980). The court need not consider any nonspecific objections or any frivolous or conclusory objections. Battle v. United States Parole Comm'n, 834 F.2d 419, 421 (5th Cir. 1987).

Ransom does not object to the magistrate judge's recommendation that the above-captioned action be dismissed pursuant to 28 U.S.C. § 2244(b)(1). Rather, Ransom objects to the magistrate judge's failure to rule or make a recommendation regarding her application to proceed in forma pauperis and her motion for court appointed attorney. Given the magistrate's recommendation, the court concludes that he did not err. Therefore,

The court accepts the findings, conclusions, and recommendation of the magistrate judge and ORDERS that Ransom's application for writ of habeas corpus pursuant to 28 U.S.C. § 2254 be, and is hereby, dismissed pursuant to 28 U.S.C. § 2244(b)(1).

SIGNED May 5, 2009.

JOHN McBRYDE
United States District Judge

2